

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

LINZIE ANDREW HUMES,

Plaintiff,

V.

PATRICIA MCCOY, *et al.*,

Defendants.

Civil Action No. 7:21cv00373

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Linzie Andrew Humes, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By conditional filing order entered June 22, 2021, the court advised Humes that he must notify the court in writing immediately upon his transfer or release and must provide the court with his new address. (*See* ECF No. 3.) The court further advised Humes that failure to provide an updated address would result in dismissal of this action. (*Id.*)

On May 12, 2022, an order mailed to Humes was returned to the court as undeliverable and without a forwarding address. (*See* ECF No. 18.) Humes has not provided the court with an updated address. Accordingly, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Humes's opportunity to refile his claim in a separate civil action, subject to the applicable statute of limitations.

The clerk is directed to send copies of this Memorandum Opinion and accompanying Order to Humes at his last known address.

ENTERED this 13th day of May, 2022.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE